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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,106	10/09/2003	Darin J. Douma	15436.250.34.1	9324

7590 05/23/2006

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EXAMINER

WILLIAMS, HOWARD L

ART UNIT PAPER NUMBER

2819

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/682,106

Applicant(s)

DOUMA ET AL.

Examiner

Howard L. Williams

Art Unit

2819

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

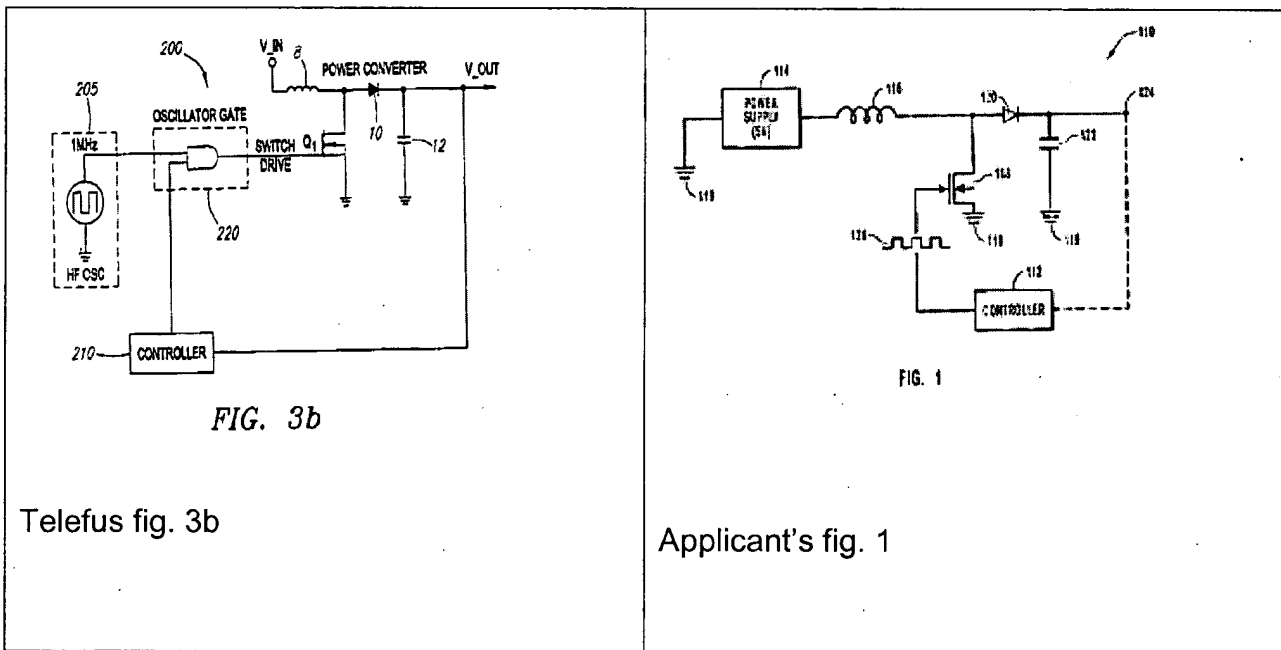
- | | |
|---|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) ☐ Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Telefus et al (US 2002/0008501) in view of Ashkeboussi et al. (US 6226114 B1)..

Telefus et al discloses a boost converter power supply substantially as claimed.



Telefus et al. disclose a microprocessor as a suitable controller and illustrate an output voltage sensing input to the microprocessor to control the PWM drive signal to the FET switch; see Telefus et al. fig. 6B. Telefus does not disclose the boost converter

in a transceiver or sensing some other characteristic of a load to control the modulation of the PWM signal that drives the switch.



Ashkeboussi et al. discloses a fiber optic communication system (col. 1, lines 23-35) including optical transmitters, optical receivers (not shown) where the transmitting stations include microprocessor based control systems. Ashkeboussi et al. in the discussion of the transmitter module discloses monitoring the bias current and notes inclusion of temperature responsive elements to monitor the temperature over its entire temperature operating range (col. 2 line 57- col. 3 line 40) and controlling the automatic power control (APC) to the laser diode to level the modulation index. Thus Ashkeboussi et al. clearly shows dual functionality of a microprocessor. It would have been obvious from the teaching of Ashkeboussi to include sensing of a load characteristic, such as temperature in an optical transmitter, in the PWM driven boost converter to control the power supply and stabilize the modulation thus avoiding adverse effects to transmission and reception of the signal.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Katoozi (US 5594631 A) discloses digital control of switched power supplies and the wide acceptance of switched power supplies for several benefits such as size and programmability.

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Applicants' response filed 19 April 2006 has been fully considered but is not persuasive.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Howard L. Williams at telephone number (571) 272-1815.

5/18/06
Voice: (571) 272-1815


Howard L. Williams
Primary Examiner
Art Unit 2819